

P22036.P05

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dany PRIETO

Serial No : 10/069,614
(National Stage of PCT/IB00/01205)

I.A Filed : August 30, 2000

For : THE DEVICE FIXING IN A CONTAINER SUCH A MWTAL CAN DEVICE
AUTOMATICALLY EXTRACTING THE STRAW AND IT'S ASSOCIATED
DEVICE

COVER LETTER

Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

In order to comply with the requirements (copy enclosed) for the submission of an executed declaration set forth in the Notification mailed May 10, 2002 which sets a two month period of response until July 10, 2002 and being extended by 2 months to September 10, 2002, Applicants hereby submit:

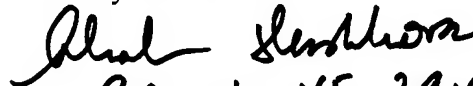
- Transmittal Letter to the United States Designated/Elected Office Concerning a Filing Under 35 U.S.C. 371;
- an executed Declaration and Power of Attorney;
- a Request For Extension of Time;
- a Verified English Language Translation of the application as filed, (10 pages and 10 sheets of drawings);
- a Preliminary Amendment; and

- a check in the amount of \$395.00 of which \$200.00 is payment for the 2 months Request For Extension of Time, \$130.00 is payment for the Verified English Language Translation and \$65.00 to cover the surcharge for late filing of the Declaration.

The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 19-0089.

Should the Examiner have any questions, he is invited to contact the undersigned at the below listed number.

Respectfully submitted,
Dany PRIETO


Reg. No. 45, 294

Neil F. Greenblum
Reg. No. 28,394

September 9, 2002
GREENBLUM & BERNSTEIN, P.L.C.
1941 Roland Clarke
Reston, VA 20191
(703) 716-1191

Form PTO-1390

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

P22036

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/069,614

INTERNATIONAL APPLICATION NO.

PCT/IB00/01205

INTERNATIONAL FILING DATE

30 August 2000

PRIORITY DATE CLAIMED

31 August 1999

TITLE OF INVENTION

DEVICE FOR FIXING IN A CONTAINER SUCH AS A METAL CAN A DEVICE AUTOMATICALLY EXTRACTING THE STRAW AND ITS ASSOCIATED DEVICE

APPLICANT(S) FOR DO/EO/US

Dany PRIETO

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information.

1. ☐ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☐ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3))
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
"EXECUTED"
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (U.S.C. 371(c)(5)).

Items 11 to 16 below concern other document(s) or information included:

11. Assignee: _____
12. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
13. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
14. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☒ Figure of Drawing to be published 6
18. ☒ Other items or information:

Cover Letter
Form PCT/DO/EO/905
Request For Extension of Time

| | | | | | |
|---|--|--|--|------------------------------------|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/069,614 | | INTERNATIONAL APPLICATION NO PCT/IB00/01205 | | ATTORNEY'S DOCKET NUMBER P22036 | |
|---|--|--|--|------------------------------------|--|

| 19. The following fees are submitted: <div style="margin-left: 40px;"> Basic National Fee (37 CFR 1.492(a)(1)-(5)): Search report has been prepared by the EPO or JPO. \$ 890.00 International preliminary examination fee paid to USPTO (37 CFR 1.482). \$ 710.00 No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO(37 CFR 1.445(a)(2)). \$ 740.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO. \$1,040.00 International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2)-(4). \$ 100.00 <div style="text-align: right;">ENTER APPROPRIATE BASIC FEE AMOUNT =</div> </div> | | | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th style="width:50%;">CALCULATIONS</th> <th style="width:50%;">PTO USE ONLY</th> </tr> <tr><td colspan="2" style="height: 100px;"></td></tr> </table> | | CALCULATIONS | PTO USE ONLY | | |
|--|--------------|--------------|-----------|--|--|-----------------------|--------------|---------|----|
| CALCULATIONS | PTO USE ONLY | | | | | | | | |
| | | | | | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <u> 20 </u> <u> X </u> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | | | \$ 130.00 | | | | | |
| Claims | Number Filed | Number Extra | RATE | \$ 0.00 | | | | | |
| Total Claims | 10 - 20 = | 0 | X \$18.00 | \$ 0.00 | | | | | |
| Independent Claims | 1 - 3 = | 0 | X \$84.00 | \$ 0.00 | | | | | |
| Multiple dependent claim(s) (if applicable) | | | | \$ 0.00 | | | | | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$ 130.00 | | | | | |
| <u> X </u> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$ 65.00 | | | | | |
| SUBTOTAL = | | | | \$ 65.00 | | | | | |
| Processing fee of \$130.00 for furnishing the English translation later than <u> 20 </u> <u> X </u> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | | | 130.00 | | | | | |
| Extension of Time fee in the amount of | | | | \$ 200.00 | | | | | |
| TOTAL NATIONAL FEE = | | | | 395.00 | | | | | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | 0.00 | | | | | |
| TOTAL FEES ENCLOSED = | | | | \$ 395.00 | | | | | |
| 09/12/2002 GFREY1 00000042 10069614 01 FC:254 65.00 OP 02 FC:156 130.00 OP | | | | <table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;">Amount to be refunded</td> <td style="width:50%; text-align: center;">\$</td> </tr> <tr> <td style="text-align: center;">Charged</td> <td style="text-align: center;">\$</td> </tr> </table> | | Amount to be refunded | \$ | Charged | \$ |
| Amount to be refunded | \$ | | | | | | | | |
| Charged | \$ | | | | | | | | |

a. X A check in the amount of **\$395.00** to cover the above fees is enclosed.

b. Please charge my Deposit Account No. in the amount of \$ to cover the above fees.

c. X The Commissioner is hereby authorized to charge any additional fees which may be required; or credit any overpayment to Deposit Account No. 19-0089.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO CUSTOMER NO. 7055
AT THE PRESENT ADDRESS OF:

Neil F. Greenblum
 GREENBLUM & BERNSTEIN, P.L.C.
 1941 Roland Clarke Place
 Reston, VA 20191
 (703) 716-1191

Reg. No. 45,294

 SIGNATURE
 Neil F. Greenblum

 NAME
 28,394

 REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

 Commissioner for Patents, Box PCT
 United States Patent and Trademark Office
 Washington, D.C. 20231
 www.uspto.gov

| | | |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/069,614 | Dany PRIETO | P22036 |

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|-------------------------------|
| INTERNATIONAL APPLICATION NO. |
|-------------------------------|

PCT/IB00/01205

| | |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 08/30/2000 | 08/31/1999 |

 7055
 GREENBLUM & BERNSTEIN, P.L.C.
 1941 ROLAND CLARKE PLACE
 RESTON, VA 20191

CONFIRMATION NO. 3419

371 FORMALITIES LETTER



OC000000008060226

Date Mailed: 05/10/2002

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fees
- Indication of Small Entity Status
- Priority Document
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration
- Request for Immediate Examination

RECEIVED

MAY 15 2002

GREENBLUM & BERNSTEIN PLC

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English.
- Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than the appropriate 30 months from the priority date (37 CFR 1.492(e)) is required.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTH FROM THE DATE OF THIS NOTICE OR BY 22 or 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$195 for a Small Entity:

- \$65 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FRANCINE YOUNG

Telephone: (703) 305-3662

PART 1 - ATTORNEY/APPLICANT COPY

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/069,614 | PCT/IB00/01205 | P22036 |

VERIFICATION OF TRANSLATION

I, Jean NGUIMBUS

of 301 N. Beauregard Street Unit #1220
Alexandria, VA 22312
U.A.S.

declare that I am well acquainted with both the French and English languages, and that the attached is a literal translation, to the best of my knowledge and ability, of the International Application No. PCT/IB00/01205, filed 30 August 2000.

Signature A. J. P. S.
[NAME]

Date March 15, 2002